

RS BOARD MINUTES

5/25/04

Called Board Meeting

The called meeting of the North Carolina Board of Sanitarian Examiners was held on Tuesday, May 25 at 9:30 a.m. at the Parker Lincoln Building, Room 1A201 (DEH Conference Room), 2728 Capital Blvd., Raleigh, N.C. Those in attendance were: Dennis Salmen, Malcolm Blalock, Ann Gilstrap, Nilla Sloop, Mack Dendy Terry Pierce, Dr. Burton Ogle, Tim Green, Sheila Nichols, Perry Solice, Jr. and Camille Bishop. Also in attendance – John Barkley.

Oath of Office – All Board Members were sworn into office for 2004 by Judge Wanda G. Bryant appointed by the Governor's office to administer the Oath of Office.

Call to Order – Dennis Salmen, Acting Chairman, called the meeting to order at 9:50 a.m.

Welcome of New Members to the Board – Dennis Salmen welcomed new members to the RS Board – Malcolm Blalock, Public Spirited Citizen representative, Terry Pierce, DENR Representative, and Perry Solice, Jr., Sanitarian at Large Representative.

Election of Officers – Nominating Committee (Dennis Salmen, Tim Green, Sheila Nichols) proposed the following slate of Officers for 2004:

Nilla Sloop, Chairman
Terry Pierce, Vice-Chairman
Ann Gilstrap – Secretary Treasurer

Board Action: A motion was made by Mack Dendy, seconded by Malcolm Blalock to close the nominations. All votes affirmative.

Board Action: A motion was made by Tim Green and seconded by Malcolm Blalock that the slate of officers be accepted by acclamation. All votes affirmative.

Appointment to Education Committee - Nilla Sloop, Chairman, appointed Malcolm Blalock to serve as the Chairman of the Education Committee. Ms. Sloop will no longer serve in this capacity.

Phone Line for RS Board Education Business for Malcolm Blalock – The Board discussed a separate business phone line for Malcolm Blalock since he will be the Chair of the Education Committee and presently has only his cell phone to conduct business. It was the consensus of the Board to approve this. Mr. Blalock to find out cost per month and relay this to Nilla Sloop. Ms. Sloop will E-mail Board Members to get their vote.

Conflict of Interest Statement – Ms. Sloop asked Board Members if there were any conflicts of interest or potential conflicts of interest outside of what has already been disclosed in the annual Statement of Economic Interest form. There were no conflicts of interest stated.

Closed Minutes Session of March 25, 2004

Board Action: A motion was made by Mack Dendy, seconded by Ann Gilstrap to approve the Closed Minutes session of March 25, 2004. All votes affirmative.

Approval of RS Board Minutes – March 25, 04

Board Action: A motion was made by Tim Green, seconded by Mack Dendy to approve the March 25, 2004 Minutes. All votes affirmative.

Financial Reports for March and April, 2004

The Board discussed. Malcolm Blalock questioned the high service charge First Citizen's Bank is charging the RS Board.

Board Action: A motion was made by Malcolm Blalock and seconded by Tim Green for Camille Bishop to investigate moving the RS Board Account to the State Employees' Credit Union. All votes affirmative.

Board Action: A motion was made by Mack Dendy, seconded by Ann Gilstrap to approved the Financial Reports for March and April, 2004.

Past Chair's Report – Dennis Salmen

Kim Richardson - Kim Richardson has continued to contact the Board for more detailed information and another letter. He was not satisfied with the other two letters sent to him previously. Mr. Salmen composed another letter and sent to John Barkley to review before sending. It is Mr. Salmen's recommendation that any and all further contact/discussions between Mr. Richardson and the Board should go directly to John Barkley, Attorney General's office. Mr. Barkley concurs with this decision. Mr. Salmen shared a draft of the third letter he composed to Mr. Richardson. Mr. Salmen also reviewed a summary of the other two letters. The third (draft) letter referenced the "standard of practice". John Barkley will review this draft and may reformat or rewrite before sending to Mr. Richardson. He will also send a copy to the Board.

Closed Session to discuss a personnel issue

Board Action: A motion was made by Ann Gilstrap and seconded by Mack Dendy to go into Closed Session. All votes affirmative.

Open Session – Kim Richardson

John Barkley, Attorney General's Office, stated that he will be dealing with any further discussions with Mr. Richardson on this issue. There have been discussions from Mr. Richardson that he may want to appeal this issue. Mr. Barkley stated that since no action has been taken against him, that he has no basis for appeal. John Barkley will revise the third letter and send to Mr. Richardson.

Open Window of Opportunity - Dennis Salmen's Report Continued.

NEHA will be offering the "Open Window of Opportunity" for the State of North Carolina. He shared a copy of the Reciprocity Application form which will also go out on the ListServe and our Website. Mr. Salmen did get NEHA to move the deadline date for registering from February 1 to March 1.

Interpretation of 10A NCAC 46.0210 – "Collecting of Water Samples"

John Barkley had been asked by this Board previously if sanitarians who collect water samples are required to be registered by the RS Board. It was John Barkley's opinion that a person who merely collects water samples, but is not involved in inspecting, evaluating or permitting the water supply or the facility that it serves, is not required to be an R.S. If they are involved in the permitting, evaluation, consultation and enforcement processes, then they would be required to be an R.S. (Draft Letter from John Barkley to Dennis Salmen, dated May 25, 2004 is attached to the minutes.) Discussion followed by Board Members and John Barkley. Mr. Barkley remarked that this statute is based on the duties and functions carried out rather than what sanitarians have been labeled by the personnel system. Mr. Barkley will revise the draft letter on this rule and send a copy to the Board.

Intern Surrendering his Registration - The question had been asked previously of John Barkley if there was anything in the law/rules that would prevent an intern from surrendering his registration. Mr. Barkley's opinion was that intern could surrender his registration, but he could not practice until reinstated. Ms. Bishop stated that the registrations for the intern in question had expired on May 15, 2004, and he has reapplied to this Board with a new intern application effective today. Mr. Barkley commented that the Board may need to look at setting a time limit on persons surrendering his/her registration as to when they can reapply to the Board for registration. The Legislative Committee will plan to look at this issue.

2003 Annual Report - Ms. Gilstrap shared copies with the Board. The Annual Report will go to appropriate persons with the 2003 Audit Report. There was one change in "Number of Licenses Suspended or Revoked" – It should read 0 instead of 1 because the person voluntarily surrendered his registration. Ms. Bishop will make the change.

Legislative Committee Report – Ann Gilstrap

Ms. Gilstrap gave a summary report on issues discussed in her Legislative Committee Meeting held on May 25th.

- Oath of Office – Board discussed where to administer the oath of office - CIT, county offices, etc. John Barkley remarked that for a long time the Attorney General's office did not recommend taking an Oath of Office. The case law has changed now and he does feel like it

makes more sense to give it now. He feels that if the oath is given by the Board and is consistent statewide, that this may hold more weight in a court of law than giving the oath locally. Ann Gilstrap stated that the Legislative Committee will look at offering it at other places, i.e. CIT, state and district meetings, etc. Nilla Sloop commented that you will have to exempt those RS working in the private sector, etc.

- Swearing In of Registered Sanitarians – at present there is nothing but a certificate given. We may want to consider swearing in new RS's. Ms. Gilstrap commented on a RS pin which the Board would purchase. Also discussed using an on-line form for new registration.
- Code of Ethics – Nilla Sloop will see that the Code of Ethics is put on the Board's Website.

Board Action: A motion was made by Ann Gilstrap, from the Legislative Committee to adopt the "Code of Ethics" adopted by NCPHA. All votes affirmative

- Chapter 90A of the General Statutes of North Carolina – Ann Gilstrap will send changes electronically to all Board Members. We will need to find sponsors for these changes. Ann Gilstrap reviewed some of the changes that the Legislative Committee is making in 90A.
- Discussed carrying over continuing education hours. The Renewal form would need to be revised to reflect this. The Education Committee will look into this.

Follow-Up Ann Gilstrap will send out rule changes electronically. The Legislative Committee will be meeting on June 24 and July 13, and will plan to present any changes to the Board at the August 12 meeting and at the NCPHA meeting in August., and other district and supervisor's meetings. They will also be looking at other state's Board's rules and regulations.

Board Members to make any comments on the changes to the rules back to Ann Gilstrap as well as all members. Mr. Barkley stated to remember that any statements you make are "public record".

Secretary to the Board - Camille Bishop

- Marcus Allen was voted into permanent status effective 5/13/04.
- Exam Scores from the March 26 exam were approved unanimously.
- Audit materials will be sent to the auditor next week.
- Information sent to all members on Renewal of Secretary's Contract.

I.D. Badges – Sheila Nichols will take pictures of Camille Bishop and Perry Solice, Jr. for I.D. Badges – others can be taken off of the Board's website. New member information will be sent to Andre Pierce to post on the Website.

Future of Board's Website and Andre Pierce's contract. Basically, Andre asked to extend his contract on a month- to- month basis or for 3 months.

Board Action: A motion was made by Malcolm Blalock, seconded by Mack Dendy to extend Andre Pierce's contract for another 3 months. All votes affirmative. Nilla Sloop to invite Andre Pierce to come to the next Board Meeting to talk about the future of the Website.

Education Committee Report

- Private Proctoring Policy – Dr. Burton Ogle shared a copy of the Affidavit of Nondisclosure for Examination Proctors, Examination Proctor Application and the Examination Proctor Approval Process. Information for the application was taken from Experior. On the Examination Approval Process form, several changes were made. Add annually to number 1. Take out 5 and add – Each proctor would notify the Board when they are proctoring the Exam. The RS Board will not be responsible for any costs involved was added. Dr. Ogle will make the changes. Nilla Sloop will be responsible for putting the Private Proctoring Policy and applications on the Website.

Board Action: A motion was made by Nilla Sloop, from the Education Committee to approve the Private Proctoring Policy as presented with amendments to be effective July 1, 2004. All votes affirmative.

Closed Session to discuss a Personnel Issue

Board Action: A motion was made by Tim Green, seconded by Malcolm Blalock to go into closed session to discuss a personnel issue. All votes affirmative.

Open Session

Board Action: A motion was made by Terry Pierce, seconded by Malcolm Blalock for the Chair to appoint a committee to investigate the allegations against Gerald Strickland. All votes affirmative. The Chairman, Nilla Sloop, appointed Tim Green and Sheila Nichols to investigate the allegations against Gerald Strickland and bring back a report to the next meeting.

Reciprocity - Nilla Sloop and John Barkley discussed the applicant from Ohio. Although “Math” is accepted as a science course for continuing education hours in Ohio and not here, the person does meet the adequate number of science hours to be granted reciprocity in our State.

One other state that has met reciprocity in N.C. has been Minnesota. Malcolm Blalock stated that we need to keep a list of which states we can grant reciprocity to. There is also a need to have access to all other state’s rules. The Education Committee will look into this.

Essay Questions - Nilla Sloop handed out essay questions for the Board to review. Send any thoughts, changes to Malcolm Blalock. These will be finalized before the next exam in August.

RS Board & NEHA Exam Policy

Nilla Sloop reported that she had a question from Christy Klaus who took the exam in March of '97 and wanting to know if she would have to take the exam over again. Ms. Sloop referred to the August 14, 2003 Minutes. The motion reads: **Board Action: “A motion was made by Nilla Sloop, seconded by Mack Dendy, that the Board formally recognize the policy, that by consensus has been in place since January 1, 1998 to adopt the NEHA policy regarding the NEHA exam to be formally recognized as Board Policy. All votes affirmative.”** Ms. Sloop then referred back to July 31 1997 Minutes where it stated that “The Board discussed the PES exam as to when we were going to stop accepting it toward N.C. Registration. Chairman Rust stated that one thought that comes to his mind is to mirror the NEHA policy, which is that they would accept it through December of 1997 and no longer. A motion was made by Linda Sewall, seconded by Donnie McFall that we accept PES scores through December 31, 1997. All votes affirmative.” Therefore, the Board did not need to amend the exam policy. We will accept exam scores if taken prior to December 31, 1997. Christy Klaus who took the exam in March of 1997 and did pass will be approved.

Ms. Sloop reported that she learned from the Board Forum in Alaska, that NEHA has put out RFP’s and is looking towards owning and doing their own exam. Florida/EHT, a subsidiary of Charter Institute and NEHA are looking at buying out the PES exam, and then they would have a national exam for everybody. The Education Committee is recommending that we not make any changes in our policy or anything related to exam other than we follow the policy of NEHA until this decision is finalized.

Reciprocity Requests

Chad Westom requesting Reciprocity from Fridley, Minnesota. Minnesota does meet our requirements for reciprocity.

Mr. Westom is not employed in NC at this time. Dr. Burton Ogle will review his transcripts and will let us know by e-mail if he is eligible. If he is accepted by the Board he would have 9 months to get his CIT Training. The Board will not approve at this time.

Renee Martino – RS from Columbus Ohio – submitted Intern Application, BS Food Science/Laboratory Science – Ohio State University – Presently working for City of Columbus Health Department. The Board discussed whether or not Ms. Martino should get an RS Certificate now. The Board also discussed if she would need to go through C.I.T. Nilla Sloop commented that our rules are different than our statutes. Malcolm Blalock noted to the Board that the requirement in our statutes on reciprocity is that the other states have the same standards that we have. Standards include laws and rules. If the other states’ laws and rules are equivalent to ours, then you may grant reciprocity, if they are not you do not. Also discussed if the person would have to have the Public Health Law. Mack Dendy commented that he feels the applicant can be granted reciprocity without the Public Health Law Course. John Barkley has already given his opinion that Ms. Martino’s application meets the reciprocity law based on the statutes.

The decision was to table at the present time until Nilla Sloop consults with John Barkley to verify if Ms. Martino can be granted reciprocity. Nilla Sloop will get back in touch with Renee Martino and ask her about their training program.

Dickson, SeSe - from New Jersey – denied – he could be a candidate for fast-tracking.

Reciprocity Clarification - Dr. Burton Ogle feels we need to clarify reciprocity – we may be excluding a lot of good candidates. The RS Board needs to develop a Reciprocity Application. Malcolm Blalock will develop. The Education Committee needs to look at clarifying reciprocity.

Nick Webb did submit a final transcript and does meet the science hours. Ms. Sloop will inform State Personnel of this.

State Personnel – It was discussed that an In-service is very much needed for State Personnel.

Health Law Courses – Ms. Sloop stated that we have received the syllabus from NC State on Health Law Course they are teaching, and the Education Committee will be looking at this when we hear more from Richard Dideriksen when they revamp the Health Law Course if they are equivalent.

C.I.T. Committee – Sheila Nichols reported that C.I.T. Committee did not meet on June 6 – changed to June 10 – Sheila Nichols will attend.

Continuing Education Requests for May

1. West Nile Virus in Texas Conference, 3/20 – 3/21, US, CDC, Ft. Worth, TX. – 12.75 hrs.
Approve for 2003 for Renewal Registration for Mark O'Donahue

2. Outbreak Investigations: "Mystery to Mastery	UNC-School of Public Health	Charlotte	§	04/08/04	04/08/04	2.00
3. Smallpox Response Training	NC Public Health Response Team -7	Charlotte	\	05/04/04	05/04/04	3.75
4. Methamphetamine Crisis Teleconference	The Public Health Law Association	PHTIN Sites*	§	05/10/04	05/10/04	2.00
5. Management Academy for Public Health Meet.	UNC-School of Public Health	Durham	F	04/19/04	04/21/04	13.00
6. Carolina's Association of Food Protection (CAFP)	CAFP	Concord	F	03/04/04	03/04/04	4.00
7. NC Dairy Conference	NC Dairy Producers Assoc. & NCSU	Salisbury	F	03/02/04	03/03/04	6.00
8. Dairy Food Safety & Quality Conference	NC Dairy Producers Assoc. & NCSU	Salisbury	F	03/02/04	03/02/04	3.50
9. Certified Hazardous Mat. Mgr. Refresher Course	NIOSH Sunshine ERC, Univ. S. Fla.	Tampa, FLA.	\	03/15/04	03/17/04	15.00
10. State Health Director's Conference	Local Health Directors	Raleigh	F	01/29/04	01/30/04	2.25
11. Delineation of Piedmont/Costal Plane- Wetlands	NC State University	Raleigh	\	05/24/04	05/26/04	15.00
12. Delineation of Piedmont /Costal Plane-Wetlands	NC State University	New Bern	\	05/27/04	05/28/04	15.00
13. National Swimming Pool Foundation Pool Op.	Pool Professional	Raleigh	\	03/17/04	03/18/04	11.75
14. Sanitary Surveys of Shellfish Growing Areas	FDA/Miss. Dept of Marine Resources	Biloxi, MS	\	03/24/04	03/26/04	15.00
15. Epidemiology at Work - Epi Teams Conference	NC Office of PH Preparedness/Resp.	Chapel Hill	F	06/15/04	06/16/04	13.00
16. Supervision n the 21st Century	NC APWA Solid Waste Division	Hickory	\	04/28/04	04/28/04	4.25
17. "A Basic Well is Anything But Basic" SOP WShop	NC EHSOP	Gastonia	\	04/21/04	04/23/04	19.25
18. "Beyond Joe's Diner" - Adv. Worlds Foods Course	NC EHSOP	Wilmington	\	03/31/04	04/02/04	18.75
19. Institution Inspection In-Service	NC DENR-Div. Of Env. Health	Waynesville	\	03/30/04	03/30/04	5.00
20. Nuclear Biological & Chemical Preparedness	NEHA	Memphis	\	04/06/04	04/06/04	7.50
21. Louisville Metro Comm. Based Emerg. Response	CDC/Louisville Metro Health Dept.	Louisville, KY.	\	05/18/04	05/21/04	15.00
22. Lead Risk Assessor Refresher Course	Aerosol Monitoring & Analysis, Inc.	Hanover MD.	\	04/09/04	04/09/04	6.00
23. Regional Lead/Cild Care Meeting	NC DENR-Childrens Env. Branch	Tarboro	F	04/22/04	04/22/04	5.00
24. Bridging Traditional Env. Hlth. & Hlth. Promotion	Toxic Substances & Disease Registry	Orlando, FLA.	§	05/05/04	05/05/04	1.50
25. SE District NCPHA Educational Meeting	SE District - NCPHA	Goldsboro	F	06/04/04	06/04/04	4.00
26. Regional Homeland Security Conference	PH Regional Surveillance Team	Charlotte	\	05/12/04	05/12/04	4.25
27. "Lets Get it Right Before We Have To Move In"	NC EHSOP	Winston-Salem	\	05/04/03	05/06/04	19.75
28. Food Protection Conference	CFP, Conf. For Food Protection, Inc.	Chandler, AZ.	F	04/16/04	04/21/04	8.50
29. "Beyond Joe's Diner" - Adv. Worlds Foods Course	NC EHSOP	Asheville	\	05/12/04	05/14/04	18.75
30. WPEHS Summer Meeting	Mountain District, EHS-WNCPHA	Cornelius	F	06/10/04	06/10/04	5.00
31. Certified Operator Workshop	OSWW Section & Union Co. Env. Hlth.	Monroe	\	05/12/04	05/12/04	2.00
32. ATSDR, Partners in Public Health Meeting	ATSDR	Atlanta, GA	F	03/29/04	03/31/04	15.00

Additions:

- 34. Health Directors Legal Conference, UNC-CH, School of Govt. Chapel Hill, 4/21-4/22 6.75
- 35. Practical Application of Epi Information, Computer Course, Wilmington, 5/17 - 7.50
- 36. Public Health Surveillance, NC Center for PH Preparedness, Monroe 4/12 – 7-12 - 14
- 37. Navy Occupational Health & Preventive Medicine Workshop, US Navy, Chesapeake, VA - 15
- 38. Enhancing Resident-Friendly Environments, Pest Mgmt., various locations, dates - 3.00
- 39. Winn-Dixie Sanitarrians' Pest Control Meeting (denied last time) – approved 9.00

Added # 38 & 39.

Board Action: A motion was made by Nilla Sloop, from the Education Committee, to approve the list of Continuing Education Requests with the changes in hours and additions. Also to hold #9 until more information is received. All votes affirmative.

Intern Applications for May 25, 2004

<u>Intern</u>	<u>County</u>	<u>Degree</u>	<u>University</u>
Thomas Daniel Thornton	Brunswick	BS Agronomy	NC State
(License expired 5/15/04 – Rehired 5/17/04)			
Suzanne Harris	Wake	BS Biology Masters PH Adm.	Cornell Univ. UNC-CH

Board Action: A motion was made from Ann Gilstrap, from the Education Committee to approve the intern applications as listed. All votes affirmative. Nilla Sloop abstained

Fast-Track

Ronald Honeycutt – fast track in 1 year rather than the 2 year period based on previous experience

Board Action: A motion was made by Nilla Sloop, from the Education Committee, to approve fast tracking for Ronald Honeycutt to a 1 year period rather than the 2 years based on previous work experience at Hardees. All votes affirmative.

C.I.T. Training - for Continuing Education hours. The Board needs to discuss again.

Closed Session - The Board went into Closed Session to discuss a Personnel Issues. Ms. Bishop was asked to leave the room.

Board Action: A motion was made by Burton Ogle, seconded by Perry Solice to renew Camille Bishop's Contract for 1 year and to grant her a 5% raise. Effective July 1, 2004. All votes affirmative.

Next Meetings – August 12 at WCU in Cullowhee, N. C. at 12 Noon. – Education Committee at 9:00 am.
August 13 – Exam at WCU

Respectfully Submitted,

Ann C. Gilstrap
Secretary/Treasurer

Date Approved _____

